

REMARKS/ARGUMENTS

Claim Objections

Claim 4 was objected to because of a missing word, "at". Claim 4 is amended herein to correct that oversight.

35 USC § 112 Rejections

Claim 6 was rejected as being indefinite with respect to a perceived inconsistency between the listed species and the genus "target antigen". This rejection is resolved by clarifying that the " target antigen is present on any of a stem cell, a diseased cell, a bacterium, and a virus."

Double Patenting

The double patenting rejections are resolved by the concurrently filed terminal disclaimers.

35 USC § 102(e) Rejections

The Office rejected claims 1-6 as being anticipated by Pourahmadi et al. (US 6440725). Those rejections should be withdrawn because Pourahmadi fails to satisfy all the elements of claim 1 (and claims 2-6) by virtue of their dependency on claim 1.

Claim 1 requires that the magnetic beads are couple to an affinity marker that binds the target antigen. Pourahmadi does teach use of magnetic beads, but Pourahmadi's beads are not used to carry any affinity marker. They are merely used as an aid to mixing. Pourahmadi col. 18, lines 39-49, see especially lines 47-49.

Now, it is possible that the Office read the term " coupled to an affinity marker that binds the target antigen" to include a fluid "coupling" merely by virtue of the fact that the affinity marker can be in the same solution as the magnetic beads. That is, of course, not what was intended, and claim 1 is amended herein to more specifically recite that the magnetic beads "carry an affinity marker that binds the target antigen."


Miscellaneous

Claim 1 is amended herein to clarify that the fluid exiting the discharge port is at least partially "of the target antigen" rather than "from the target antigen."

Request For Allowance

Claims 1-6 are pending in this application. The applicant requests allowance of all pending claims.

Respectfully submitted,
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